

AN ORDINANCE

97881

APPROVING AMENDMENT ONE TO THE GOLF FOOD AND BEVERAGE CONCESSION AGREEMENT WITH POLANCO AND COMPANY, L.L.C. TO REVISE REVENUE PAYMENT TO THE CITY TO BECOME SIXTEEN PERCENT (16%) OF ADJUSTED GROSS SALES REVENUE FOR THE DURATION OF THE CONTRACT.

* * * * *

WHEREAS, on April 10, 2002, the City of San Antonio published an RFP for food and beverage service provider at all City golf courses; and

WHEREAS, as a result of that, RFP Polanco and Company, L.L.C. was selected and approved by City Council on August 8, 2002 by Ordinance No. 96179; and

WHEREAS, Polanco and Company, L.L.C. was the only firm to propose an annual minimum payment to the City and as a result of slower sales than anticipated has had difficulty in meeting its financial obligations under the contract; and

WHEREAS, Polanco and Company, L.L.C. has proposed amending the contract to increase the percentage of gross sales paid to the City in exchange for the City agreeing to drop the minimum annual payment; and

WHEREAS, this arrangement is in the best interest of the City; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. The City Manager or her designee is hereby authorized to execute Amendment No. 1 to the Golf Course and Driving Range Food and Beverage Service Contract. A copy of said Amendment is affixed hereto and incorporated herein for all purposes as Attachment I.

Section 2. All revenue received from said agreement shall continue to be deposited and accounted for as has been established in the ordinance initially approving the agreement.

Section 3. This ordinance shall be effective on and after the tenth (10th) day after passage hereof.

PASSED AND APPROVED this 26th day of June, 2003.

ATTEST: Jelanda L. Hudson
City Clerk

for M A Y O R
EDWARD D. GARZA

APPROVED AS TO FORM: Gregory H. Miller
City Attorney